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UNITED STATES DISTRICT COURT

DISTRICT OF ALASKA

PAUL G. SHEARER,)	
)	Case No. A03-0263 CV (JKS)
Plaintiff,)	(Consolidated)
)	
vs.)	
)	
UNITED STATES OF AMERICA,)	
GALE A. NORTON, Secretary of the)	
Interior, DEPARTMENT OF INTERIOR,)	
and, NATIONAL PARK SERVICE,)	<u>PLAINTIFF'S MOTION FOR</u>
)	<u>RECONSIDERATION OF ORDER RE:</u>
Defendants.)	<u>MOTION FOR ENLARGEMENT OF</u>
)	<u>TIME TO RESPOND TO DISCOVERY</u>

Plaintiff Paul Shearer moves for reconsideration of the Court's Order entered on May 19, 2006 (Docket 80). The Court's Order granted the Motion of the United States for Enlargement of Time to File Response to Shearer's First and Second Discovery Requests (Docket 79) before plaintiff had an opportunity to oppose the motion. The United States' motion was filed on May 18, 2006, and plaintiff had 18 days thereafter to oppose the motion. A timely opposition would have been due on Monday June 5, 2006, pursuant to Rule 6, Fed.R.Civ.Proc. The Court's entry of an order on May 19, just one day after the United States motion was filed on May 18 and prior to plaintiff's having an opportunity to timely oppose the government's motion colorably denies him due process of law.

Shearer has now filed an Opposition to the United States Motion For Enlargement of

Time on May 26, 2006, and requests that the Court consider Shearer's Opposition as timely filed and reconsider the Court's Order entered on May 19, 2006 (Docket 80).

DATED this 26th day of May, 2006, At Lake Oswego, Oregon.

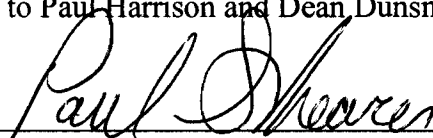


Plaintiff
Paul G. Shearer
1532 Meadows Drive
Lake Oswego, Oregon 97034

CERTIFICATE OF SERVICE

I certify that a copy of the above documents was mailed, by first class mail, Express mail or FedEx, addressed to the persons at the addresses stated below on May 26, 2005.

Copy was also sent by email on May 26, 2006 to Paul Harrison and Dean Dunsmore.



Paul G. Shearer

Addressee(s):

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